

Message Text

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ORIGIN EUR-12

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FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA
AMEMBASSY BRUSSELS

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E.O. 11652: N.A.

TAGS: EFIS, CA

SUBJECT: U.S.-CANADIAN MARITIME NEGOTIATIONS

1. FOR OTTAWA: PLEASE PASS TEXT OF FOLLOWING LETTER TO
BLAIR HANKEY, MINISTRY OF EXTERNAL AFFAIRS.
2. FOR BRUSSELS: PLEASE DELIVER TEXT OF FOLLOWING LETTER
TO AMBASSADOR MARCEL CADIEUX, CANADIAN REPRESENTATIVE,
MISSION OF CANADA TO THE EUROPEAN COMMUNITIES, RUE DE
LOXUM 6, 1000 BRUSSELS.

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3. BEGIN TEXT:
(DATE MARCH 28, 1978)
DEAR MARCEL:

-- DURING THE MEETING AT WHICH THE DETAILS OF THE 1978
INTERIM AGREEMENT WERE AGREED ON MARCH 14, I TOLD YOU THAT
I WOULD SEE WHAT ARRANGEMENTS MIGHT BE MADE TO ALLOW

CANADIAN SALMON TROLLERS TO FISH DOWN TO THE 50-FATHOM CONTOUR ON SWIFTSURE BANK THROUGHOUT THE 1978 SEASON.

-- AS YOU KNOW, IN OUR EARLIER MEETINGS WE HAD DISCUSSED SUCH AN ACCOMMODATION IN THE CONTEXT OF WHAT WOULD BE DONE IN THE INTERIM PERIOD BETWEEN THE TIME WHEN WE REACHED AN OVERALL LONG-TERM AGREEMENT ON BOUNDARIES AND OTHER ISSUES EARLY IN 1978 AND THE TIME WHEN, AFTER THE CONGRESSIONAL ACTION REQUIRED IN THE UNITED STATES, THE LONG-TERM AGREEMENT WOULD ENTER INTO FORCE. IN THAT CONTEXT, AND ASSUMING THAT A MARITIME BOUNDARY ALONG THE 50-FATHOM CONTOUR WOULD BE INCLUDED IN THE OVERALL AGREEMENT, WE INDICATED IN OUR EARLIER MEETINGS THAT THE UNITED STATES MIGHT BE ABLE TO OBSERVE THAT LINE PENDING THE REQUIRED CONGRESSIONAL ACTION.

-- AS MATTERS NOW STAND, WE FIND IT NECESSARY TO WORK OUT A MUTUALLY AGREEABLE INTERIM FISHERIES AGREEMENT FOR 1978 BEFORE THE TIME WE HAVE REACHED A LONG-TERM AGREEMENT SUBJECT TO RATIFICATION. I AM ADVISED THAT UNDER THESE CIRCUMSTANCES WE WOULD FACE SERIOUS POLITICAL AND LEGAL QUESTIONS IF WE COMMIT TO OBSERVE THE 50-FATHOM CONTOUR BEFORE THE LONG-TERM AGREEMENT IS REACHED. HOWEVER, I NOTE THAT WE BOTH EXPECT THE EFFORT TO NEGOTIATE THE LONG-TERM AGREEMENT TO COME TO A HEAD THIS SUMMER ONE WAY OR THE OTHER, LET US HOPE BY A MUTUALLY SATISFACTORY AGREEMENT

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ON ALL ISSUES. I ALSO NOTE THAT THE QUESTION OF CANADIAN SALMON TROLLING RIGHTS DOWN TO THE 50-FATHOM CONTOUR IS AN ACADEMIC ONE UNTIL THE PROPOSED CLOSING OF THE FISHERY IN U.S. WATERS ON SEPTEMBER 15 UNDER THE PACIFIC COUNCIL'S MANAGEMENT PLAN. BY THAT TIME WE SHOULD KNOW WHETHER WE HAVE SUCCEEDED OR FAILED IN OUR EFFORTS TO COMPLETE THE LONG-TERM AGREEMENT. ASSUMING SATISFACTORY RESOLUTION OF THE OTHER PACIFIC, ARCTIC, AND ATLANTIC ISSUES WE HAVE DISCUSSED, WE ARE PREPARED IN THE LONG-TERM AGREEMENT TO MAKE AN ADJUSTMENT OF THE JUAN DE FUCA MARITIME BOUNDARY SUBSTANTIALLY ALONG THE 50-FATHOM CONTOUR ON SWIFTSURE. IF WE REACH AN OVERALL LONG-TERM AGREEMENT, I BELIEVE THE UNITED STATES WOULD BE ABLE TO PROVISIONALLY APPLY THE ADJUSTED BOUNDARY IN JUAN DE FUCA PENDING THE OUTCOME OF THE RATIFICATION PROCESS, SUBJECT TO THE PROVISIONS OF PARAGRAPH 1(C) OF THE JOINT DRAFT INTERIM AGREEMENT, SO AS TO PERMIT THE CANADIAN FISHERY THERE TO CONTINUE AFTER SEPTEMBER 15.

-- I LOOK FORWARD TO OUR NEXT MEETING WITH THE CONVICTION THAT WE MUST AND WILL SUCCEED IN OUR ENDEAVORS. I ALSO WANT TO EXPRESS MY APPRECIATION FOR YOUR MANY COUR-

TESIES, AND FOR THE OPPORTUNITY TO STUDY UNDER A MASTER
IN THE SKILLS OF HONORABLE AND EFFECTIVE NEGOTIATION.
SIGNED: WITH WARM REGARDS, LLOYD N. CUTLER, U.S. REPRESENTATIVE, U.S.-CANADIAN MARITIME NEGOTIATIONS. END TEXT.
COOPER

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